

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-3, 8-10, 15-17, and 22-30 are pending in this application. Claims 1-3, 8-10, 15-17, and 22-30 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 4,760,606 to Lesnick et al. (herein "Lesnick").

Addressing the above-noted rejection, each of the claims as currently written is believed to clearly distinguish over the teachings of Lesnick.

It is initially noted that each of the independent claims is amended by the present response to clarify a feature recited therein. Specifically, the independent claims now further recite:

wherein when the first sheet of format image information indicates a user name, the image information server stores the sheet document image information in an applicable folder or file of the user name[.]

Such a feature is fully supported by the original specification, for example with reference to Figure 3. As shown for example in Figure 3 a first sheet of format image information may indicate a user name, and thereby sheet document image information following that first sheet will be stored in an applicable folder or file of the user name. Such a feature is believed to clearly distinguish over the applied art to Lesnick.

Lesnick discloses in Figure 6 the use of a header page 600. Lesnick operates simply such that a new file is created each time a new header page 600 is indicated regardless of the user ID.

Further, in Lesnick the user ID is used to permit only a user authorized by the ID to use the system 200 (see column 4, lines 44-47), and is not used as a name of a folder or file.

In such ways, Lesnick does not teach or suggest any operation such that "when the first sheet of format image information indicates a user name, the image information server

stores the sheet document image information in an applicable folder or file of the user name”, as now clarified in each of the independent claims.

Furthermore, Lesnick only employs the use of one type of header sheet 600. In that way Lesnick could not even be modified to meet the claim limitations as Lesnick does not disclose or suggest utilizing different header pages with different user names to thereby control storing of an image information file in different user folders or files.

Applicants also reiterate that Lesnick does not disclose or suggest a feature of utilizing a second sheet of format information that when detected indicates an end of a document to be stored in the prescribed folder, and thereby indicating completing of the storing operation. As shown, for example, in Figure 7 of the present specification, step S26 completes the writing of data in the prescribed data storing field after detecting the second sheet of format information indicating an end of a document to be stored in step S24.

Applicants respectfully submit that Lesnick does not teach or suggest creating both a folder and file when the pair of format sheets is used for the purpose of easy accessing of a user to the file formed in the folder.

With respect to that feature the outstanding Office Action appears to reference a hypothetical “first header page” and “second header page” in paragraph 6 of the Office Action. However, applicants believe that reliance in the Office Action is improper.

The noted second header page in Lesnick does not provide any command to close a file or folder. If that was the case then a stack of documents only including one header page could never be closed in the device of Lesnick.

For such further reasons, the claims are believed to clearly distinguish over the teachings in Lesnick.

Further, applicants respectfully submit the outstanding Office Action is not properly considering the additional features recited in claims 22-30. Those claims further recite “when

the sheet of format image information describes a group user name, said image information server continuously stores the sheet document image information in applicable folders defined by the group user name". That feature is believed to further distinguish over Lesnick as Lesnick merely shows that a new file is created each time a new header page 600 is indicated, but such a feature is not directed to the claimed group user use storage.

With respect to that feature the outstanding Office Action appears to recognizes the deficiencies in Lesnick but states "it would have been obvious to a person of ordinary skill in the art at the time of the invention to group the document image information in folders defined by group user name, because Lesnick teaches above, the classification of documents having the same user id. This would provide the benefit of grouping documents according [to] user id - *group user name*".¹

That basis for the outstanding rejection is also believed to be clearly improper as it is not based on any teachings in any references.

As noted in M.P.E.P. § 2143:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicants' disclosure.

Particularly with respect to the rejection of claims 22-30, the outstanding Office Action has not established any of the three criteria noted above for a proper *prima facie* case of obviousness. First, there is no suggestion or motivation to modify Lesnick to meet the further feature noted above with respect to claims 22-30. Second there is no indication that

¹ Office Action of February 9, 2004, page 5, lines 15-18.

incorporating such a feature in Lesnick would provide any benefits or success. Finally, no prior art reference has been provided to teach such a feature.

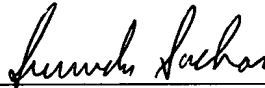
In such ways, with respect to independent claims 22-30, those claims are believed to even further distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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